

REMARKS

An Office Action was mailed on May 3, 2005.

Claims 1-9, 12, 14-18, 21-25 are pending. Claims 1, 14, 22, 24, and 25 are independent claims.

By the foregoing, claims 1, 4, 7, 22, 24, and 25 are amended; 3, 14-18, and 21 are cancelled. No new matter is added. All claim amendments are supported by the specification as a whole and the drawings figures.

Claims 24 and 25 stand rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The limitation of *"the collar being slidably rotatable about the first member and engaging the second member to positionally adjust the second member in relation to the first member without positionally adjusting the first member in relation to the collar and without positionally adjusting the first member in relation to the second member"* is cited as being new matter. The rejection is respectfully traversed.

As can be seen in Fig. 2, collar 12 is threaded with respect second element 11, but not with respect to a portion of the attachment. Further, first element 10 is threaded with respect to a portion of the attachment, but not with respect to the second element. Thus, when the collar is turned, as for example by the knurlings shown in Fig. 3, the collar slidably rotates about the first element which is held in place for example by a portion of the attachment. At the same time, the collar positionally adjusts the second member in relation to the first member via the threaded engagement of the collar. Therein the collar does not adjust the first element with respect to the collar nor with respect to the first and second element. For clarity, the latter portion of the limitation has been deleted. Accordingly, the Examiner is respectfully requested to withdraw the rejection.

Claims 1-4, 6-9, and 12 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 904,673 to Bideker (Bideker).

The applicants have amended the independent claims to include three further limitations that clarify the distinguishing features of the present invention. The First feature added clarifies that the swivel joint is used for connecting a swiveling or pivoting attachment on the end of a fixed

domestic water line. Basis for this amendment can be found on page 1, lines 11 to 13 of the international application. This emphasises the differences between the art field of the present invention and that of Bideker.

Bideker is for a nozzle used in the high pressure and high flow application of fire fighting. In contrast the present invention seeks to overcome the domestic problem of shower heads being either immovable and unable to accommodate for different users or being vulnerable to collapse because of a loosening of the swivel joint due to repeated use.

With respect, it is submitted that the person seeking to solve this domestic problem would not look to proposals for the construction of fire fighting nozzles from 1908. It is submitted that if Bideker had disclosed a solution to the problem addressed by the present application then droopy and lose shower heads would not be the problem that they pose to the comfort and quiet enjoyment of users.

In order to emphasis the structural and functional differences between the present invention and Bideker the applicants have amended the independent claims to specifically recite the tapered barrel and the housing may be tightening of the swivel joint whereby said attachment can be manually swiveled with respect to the water line and retain the position to which it is swiveled. Basis for this amendment can be found on page 1, lines 5 to 8 of the international application.

This emphasises that the swivel joint of the present invention operates to enable relative rotation of the first and second members where that rotatable relationship is leak-proof as explicitly recited in claim 1. Bideker does not disclose a joint which operates in such a manner.

Furthermore, Bideker is explicitly directed to a nozzle tip for fire fighting. This contrasts to the swivel joint of the present invention being for use in articulating an outlet from a fixed pipe. As previously submitted the nozzle of Bideker is not configured for rotation in use. The high water flows and high pressures would result in the nozzle rotating uncontrollably as it would be unusable if it were able in fact to rotate in use.

It is clear for the drawing figures in Bideker that it is designed to be locked in position, hence the presence of a nut adapted to be tightened by a wrench.

Accordingly, the Examiner is respectfully requested to withdraw the rejections.

Claims 14-18 and 21-23 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,927,188 to Sands (Sands). Claims 14-21 are cancelled, thus only claims 22 and 23 stand rejected. Independent claim 22 is now amended to recite that *"the barrel of the first member is tapered to facilitate assembly with the second member which has a complementary taper;"* that *"said second member accommodates said first member in a relatively rotatable relationship and wherein said relationship is leak-proof;"* and that *"the attachment can be manually swivelled with respect to the water line and retain a position to which it is swivelled."* Sands does not teach nor claim these claimed limitations.

Sands teaches a locking washer having externally milled barrels. Sands does not teach, disclose, or suggest an internally milled barrel and an externally milled barrel that are tapered nor that they are complementary.

Sands teaches that the externally milled barrels are joined by threaded engagements and they become locked together. However, Sands fails to teach, disclose, or suggest that said second member accommodates said first member in a relatively rotatable relationship and wherein said relationship is leak-proof; and that the attachment can be manually swivelled with respect to the water line and retain a position to which it is swiveled.

Accordingly, the Examiner is respectfully requested to withdraw the rejections.

In view of the remarks set forth above, applicant believes the application is in condition for allowance which action is respectfully requested. All dependent claims are allowable for at least the same reasons provided for the allowability of the independent claim from which they depend.

However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Charge any fee due with this paper to Deposit Account 50-1290.

Respectfully submitted,



Hassan A. Shakir
Reg. No. 53,922
212.940.6489

CUSTOMER NUMBER 026304
Docket No.: GRC 19.329 (100671-00050)